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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 GLENN NICHOLS,

09 Plaintiff,

10 v.

11 MICHAEL ASTRUE,
Commissioner of Social Security,

12 Defendant.
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) CASE NO. C10-1956-RAJ
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) REPORT AND RECOMMENDATION
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14 Plaintiff brought this action to seek judicial review of the denial of his application for
15 Disability Insurance Benefits and Supplemental Security Income by the Commissioner of the
16 Social Security Administration. The parties have now stipulated that this case should be
17 reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. 18.)

18 Based on the stipulation of the parties, the Court recommends that this case be
19 REVERSED and REMANDED for further administrative proceedings. The parties have
20 stipulated that, on remand, the Administrative Law Judge (ALJ) will: (1) obtain supplemental
21 evidence from a vocational expert regarding plaintiff's past relevant work and his ability to
22 return to it; (2) reevaluate the effects of plaintiff's drug and alcohol abuse on his claim,

01 including as relates to plaintiff's mental impairments at step two; and (3) if necessary, call a
02 medical expert who has reviewed the entirety of plaintiff's medical records. Additionally, the
03 parties stipulate that the hearing shall be assigned to a different ALJ for a de novo hearing.
04 Upon proper application, the Court will consider plaintiff's application for attorney fees and
05 expenses pursuant to 28 U.S.C. § 2412.

06 Given the above, the Court recommends that United States Chief District Judge Richard
07 A. Jones immediately approve this Report and Recommendation and order the case
08 REVERSED and REMANDED for further administrative proceedings. A proposed order
09 accompanies this Report and Recommendation.

10 DATED this 15th day of June, 2011.

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13 Mary Alice Theiler
14 United States Magistrate Judge
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